

AMENDED IN SENATE JUNE 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1347

Introduced by Assembly Member Maze

February 21, 2003

An act to amend Section 65865 of the Government Code, relating to development projects.

LEGISLATIVE COUNSEL'S DIGEST

AB 1347, as amended, Maze. Development agreements.

Under the Planning Zone Law, a city, county, or city and county may enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property governing the permitted uses of the property. A city, county, or city and county may receive from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements. *Existing law prescribes procedures to be followed by local agencies regarding the handling of fees imposed for public improvements in connection with development projects.*

This bill would require a city, county, or city and county to comply with those procedures with regard to any fee it receives or costs it recovers in connection with a development agreement.

~~This bill would require every city, county, or city and county to deposit any fee it receives or cost it recovers in connection with a development agreement into a special account whose receipts and disbursements shall be reported publicly at least every 12 months. The~~

~~record of those transactions would be a public record available for inspection at any time pursuant to the California Public Records Act.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 65865 of the Government Code is
2 amended to read:

3 65865. (a) Any city, county, or city and county, may enter
4 into a development agreement with any person having a legal or
5 equitable interest in real property for the development of the
6 property as provided in this article.

7 (b) Any city may enter into a development agreement with any
8 person having a legal or equitable interest in real property in
9 unincorporated territory within that city's sphere of influence for
10 the development of the property as provided in this article.
11 However, the agreement shall not become operative unless
12 annexation proceedings annexing the property to the city are
13 completed within the period of time specified by the agreement.
14 If the annexation is not completed within the time specified in the
15 agreement or any extension of the agreement, the agreement is null
16 and void.

17 (c) Every city, county, or city and county, shall, upon request
18 of an applicant, by resolution or ordinance, establish procedures
19 and requirements for the consideration of development
20 agreements upon application by, or on behalf of, the property
21 owner or other person having a legal or equitable interest in the
22 property.

23 (d) A city, county, or city and county may recover from
24 applicants the direct costs associated with adopting a resolution or
25 ordinance to establish procedures and requirements for the
26 consideration of development agreements.

27 (e) Every city, county, or city and county shall ~~deposit-comply~~
28 ~~with Section 66006 with respect to~~ any fee it receives or cost it
29 recovers pursuant to this article ~~into a special account whose~~
30 ~~receipts and disbursements shall be reported publicly at least every~~
31 ~~12 months. The record of these transactions shall be a public record~~
32 ~~available for inspection pursuant to the California Public Records~~

1 ~~Act (Chapter 3.5 (commencing with Section 6250) of Division 7~~
2 ~~of Title 1).~~

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